| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/683,777 | 02/13/2002 | Robert M. Bunce | BUR920010059 | 9490 |

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| 7590     03/25/2005 | EXAMINER |
| Brian M. Dugan | PATEL, AJIT |
| DUGAN & DUGAN | |

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|---|---|
| 18 JOHN STREET | ART UNIT    PAPER NUMBER |
| TARRYTOWN, NY 10591 | 2664 |

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 09/683,777 | BUNCE ET AL. |
| | Examiner | Art Unit |
| | AJIT G. PATEL | 2664 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _11 May 2004_.

2a)☐ This action is **FINAL**.      2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1-25_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) _23-25_ is/are allowed.

6)☒ Claim(s) _1-13 and 15-20_ is/are rejected.

7)☒ Claim(s) _14,21 and 22_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1.     The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.     Claims 1,2,5,7-13,15-20 are rejected under 35 U.S.C. 102(b) as being

anticipated by Sandorfi et al (newly cited, U.S. Pat. # 5,590,122).

Regarding claim 1, Sandorfi et al disclose a method and an apparatus for

reordering frames incorporating the step of storing a sequential indicator for indicating a

sequence of a current frame within a set of frames (lines 48-51, col. 7 which imply that

sequential indicator was stored in the memory).

Regarding claim 2, Sandorfi et al disclose the steps of comparing a header field

of the current frame with a header field of a previous frame (lines 17-26, col. 2; lines 50-

57, col. 8; lines 1-7, col. 9); and generating the sequential indicator on the basis of a

result of the comparing step (lines 57-62, col. 10).

Regarding claim 5, Sandorfi et al disclose the limitation "wherein the header

fields are indicative of respective source nodes of the current frame and previous frame

(lines 43-47, col. 4).

Regarding claim 7, Sandorfi et al disclose the limitation "wherein the header

fields are indicative of respective sequence counts of the current frame and previous

frame" (lines 60-63, col. 4).

Regarding claim 8, Sandorfi et al disclose the limitation "wherein the comparing step includes determining whether the header field of the current frame is identical to the header field of the previous frame (lines 57-62, col. 10).

Regarding claim 9, Sandorfi et al disclose the limitation "wherein the comparing step includes determining whether a sequence count header field of the current frame differs by 1 from a corresponding header field of the previous frame (lines 15-23, col. 9).

Regarding 10, Sandorfi et al disclose the limitation "wherein the previous frame was received immediately before the current frame (lines 5-8, col. 8).

Regarding claim 11, Sandorfi et al disclose the limitation "supplying the stored sequential indicator to a frame processing unit" (120 of fig. 3).

Regarding claim 12, Sandorfi et al incorporating the steps of receiving a plurality of data frames one after the other (110 of fig. 3); comparing a header field of a current frame with a header field of a previous frame (lines 40-59, col. 7); generating at least one bit based on a result of the comparing step (lines 40-59, col. 7); and providing the at least one bit to a frame processing unit (120 of fig.3).

Regarding claim 13, Sandorfi et al disclose the limitation "wherein the previous frame was received immediately before the current frame" (lines 5-8, col. 8).

Regarding claim 15, Sandorfi et al disclose the step of storing the at least one bit in a frame buffer, and allowing the frame processing unit to access the stored at least one bit (lines 40-59, col. 7).

Regarding claim 16, Sandorfi et al disclose the step of supplying the at least one bit to the frame processing unit as a sideband signal (lines 40-59, col. 7).

Regarding claims 17,19, Sandorfi et al disclose the frame processing unit is a

processor that operates under control of a stored program (120 of fig. 3).

Regarding claim 18, Sandorfi et al comprising a pre-processing block adapted to

receive data frames (110 of fig. 3); a frame processing unit coupled to the pre-

processing block (120 of fig. 3); wherein the pre-processing block is configured to

compare a header field of a current frame with a header field of a previous frame and to

provide an output signal to the frame processing unit on the basis of the comparison of

the header fields of the current and previous frames (100, 120 of fig. 3).

Regarding claim 20, Sandorfi et al disclose the processing unit further includes a

frame buffer that stores the incoming frames and the output signal, the frame buffer

being accessible by the processor (120 of fig. 3).


3.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.


4.      Claims 3,4,6 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sandorfi et al in view of the admitted prior art on pages 1-5 including tables 1-2 and figs.

1-2 of the specification.

Regarding claims 3,4,6, the frame format of Sandorfi et al fail to disclose

originator ID's, responder ID's and sequence ID's. The admitted prior art on

pages 1-5 including tables 1-2 and figs. 1-2 of the specification discloses

originator ID's, responder ID's and sequence ID's. Therefore, it would have been

obvious to one skilled in the art to include the teaching of the admitted prior art in

the Sandorfi et al in order to make the system more efficient and reliable.

5.     Claims 14,21,22 are objected to as being dependent upon a rejected base claim,

but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims.

6.     Claims 23-25 are allowed.

7.     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to AJIT G. PATEL whose telephone number is 571-272-

3140.  The examiner can normally be reached on MONDAY-THURSDAY.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wellington Chin can be reached on 571-272-3134.  The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

AP